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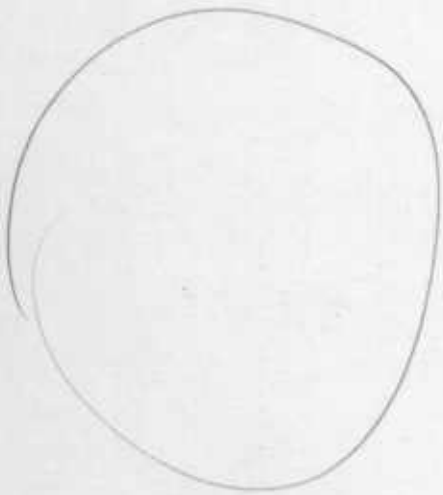
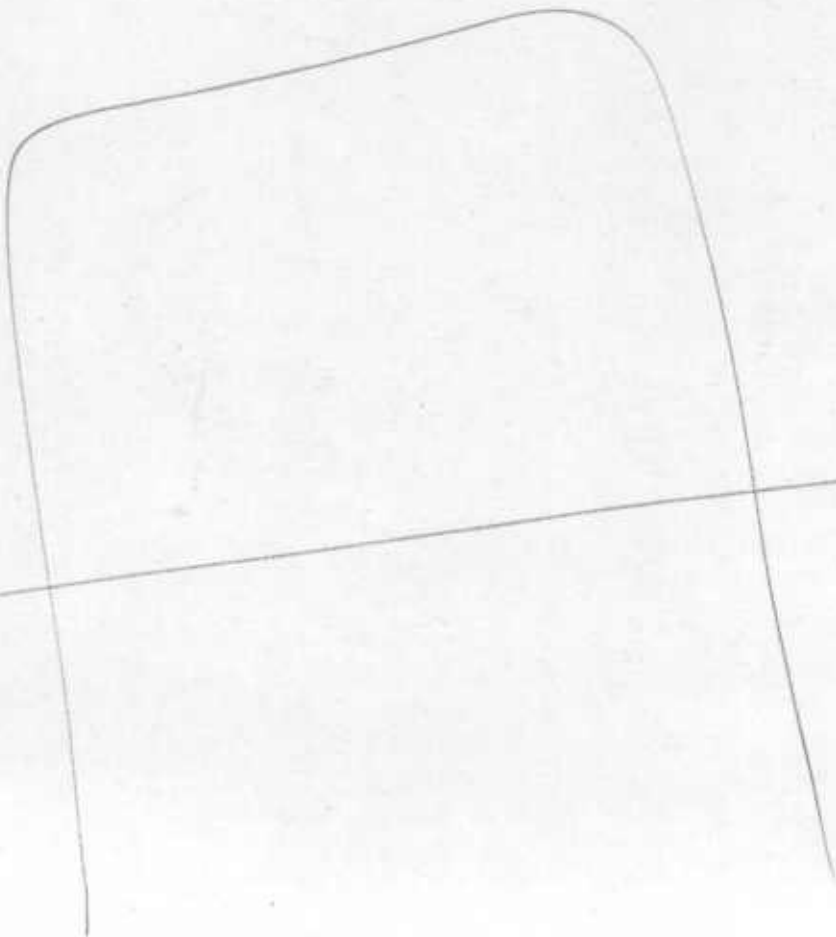
AA 173-06
SUB

Crystal Spring Farms
06-0045

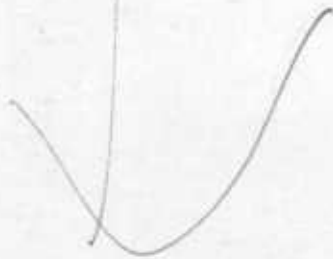
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Governor

Michael S. Steele
Lt. Governor



Martin G. Madden
Chairman

Ren Serey
Executive Director

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CRITICAL AREA COMMISSION
CHESAPEAKE AND ATLANTIC COASTAL BAYS**

1804 West Street, Suite 100, Annapolis, Maryland 21401
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www.dnr.state.md.us/criticalarea/

August 24, 2006

Mr. Michael Murray
Anne Arundel County
Office of Planning and Zoning
2664 Riva Road, MS 6301
Annapolis, Maryland 21401

Re: Crystal Spring Farms – S 06-010, P 06-0045

Dear Mr. Murray:

I have received another set of revised plans and plat for the above-referenced subdivision. I am in receipt of the letter from Mr. Rutter that the applicant references in his response to those concerns raised in my last letter dated June 22, 2006 letter. Since that time, I have responded to Mr. Rutter's letter and I have attached it for your file. Based on our previous comments, and seeing that no changes have been made to the plans or plat, this office cannot support this subdivision request.

Thank you for the opportunity to comment. Please telephone me if you have any questions at (410) 260-3478.

Sincerely,

A handwritten signature in cursive script that reads "Lisa A. Hoerger".

Lisa A. Hoerger
Natural Resources Planner

Enclosure

cc: AA 173-06

Robert L. Ehrlich, Jr.
Governor

Michael S. Steele
Lt. Governor



Martin G. Madden
Chairman

Ren Serey
Executive Director

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August 23, 2006

Mr. Joseph Rutter
Planning and Zoning Officer
Office of Planning and Zoning
2664 Riva Road, MS 6401
Annapolis, Maryland 21401

Re: Crystal Springs Farm
S2006-0101, P2006-0045

Dear Mr. Rutter:

Thank you for your letter concerning the above-referenced subdivision request. I would like to take this opportunity to address the comments in your letter since it is Commission staff's opinion that the current configuration of the proposed plat is inconsistent with the Anne Arundel County Code. I will attempt to explain our position below.

While you are correct in stating that there will be no additional dwelling units within the RCA portion of the property, the addition of three septic reserve areas in the RCA to serve LDA lots is contrary to the County Code in that septic reserve areas associated with lots outside of the RCA are not included in the RCA-use list found at 18-13-206. Therefore, the fact that no dwellings are being sited in the RCA does not automatically allow septic reserve areas to be sited there absent clear allowance from the Code, which does not exist.

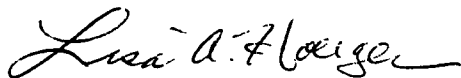
As I stated in my letter, the extension of lot lines into Parcel 178 will have the effect of reducing the net acreage of that parcel, making it more nonconforming with respect to the minimum RCA acreage required to support a dwelling. While the "one dwelling unit per twenty acre" density provision in the County Code does not require existing lots of record that may be in the RCA to have a minimum of 20 acres, new subdivision of these lands should not further reduce the minimum acreage that may exist.

Mr. Rutter
August 23, 2006
Page Two

Finally, Commission staff still believes that a strict reading of the Code would not allow the expansion into the RCA to site septic reserve areas for LDA development activities, whether those activities be for continued existing uses, or for expansion of those uses. In addition, we could find nowhere in the Code where this expansion is permitted.

Based on our reading of the County Code, and taking into consideration your position as stated in your letter, Commission staff respectfully disagrees with the County's position on this matter and cannot support the recordation of this plat as it is currently shown. Thank you again for writing to us to discuss this issue. Please telephone us anytime at (410) 260-3460 if you wish to discuss this further.

Sincerely,

A handwritten signature in cursive script, reading "Lisa A. Hoerger".

Lisa a. Hoerger
Natural Resources Planner

cc: Mr. Michael Murray
Ms. Marianne Mason
Ms. Regina Esslinger

Robert L. Ehrlich, Jr.
Governor

Michael S. Steele
Lt. Governor



Martin G. Madden
Chairman

Ren Serey
Executive Director

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June 22, 2006

Mr. Michael Murray
Anne Arundel County
Office of Planning and Zoning
2664 Riva Road, MS 6301
Annapolis, Maryland 21401

Re: Crystal Spring Farms – S 06-010, P 06-0045

Dear Mr. Murray:

I have received a revised plan and plat for the above-referenced subdivision. The applicant responded to my previous letter dated April 21, 2006. In that letter I stated that septic reserve areas are considered a development activity and are not permitted in the Resource Conservation Area (RCA) since they are a necessary component of development in the Limited Development Area (LDA).

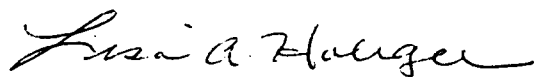
The plan and plat still show the septic reserve areas inside the RCA. Unless these septic reserve areas are associated with a dwelling unit inside the RCA, and meet the RCA density, they are not permitted. See the County Code 18-13-206 which lists the allowable uses in the RCA and states, "... for a residential use, the density allowed is one dwelling unit per 20 acres." In addition, the list of uses does not include septic reserve areas associated with development or dwelling units outside the RCA.

In addition, by extending the lot lines onto the RCA portion of parcel 178, this further reduces the net acreage of parcel 178 to less than 20 acres, which is the minimum acreage required to support one dwelling unit in the RCA; therefore, it appears to make parcel 178 nonconforming with respect to the RCA density provision of the County Code.

Mr. Michael Murray
June 22, 2006
Page Two

Thank you for the opportunity to comment. Please telephone me if you have any questions at (410) 260-3478.

Sincerely,

A handwritten signature in cursive script, reading "Lisa A. Hoerger".

Lisa A. Hoerger
Natural Resources Planner

cc: AA 173-06

Robert L. Ehrlich, Jr.
Governor



Michael S. Steele
Lt. Governor

Martin G. Madden
Chairman

Ren Serey
Executive Director

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April 21, 2006

Ms. Cathy Bridges
Anne Arundel County
Office of Planning and Zoning
2664 Riva Road, MS 6301
Annapolis, Maryland 21401

Re: Crystal Spring Farms - S 06-010, P 06-0045

Dear Ms. Bridges:

I have received the above-referenced subdivision request for review and comment. The applicant proposes to subdivide a 22.906 acre parcel in the Critical Area in order to add more area to three adjacent lots. The larger parcel is in the Resource Conservation Area (RCA), while the existing configuration of the smaller parcels is in the Limited Development Area (LDA). The development right associated with this RCA acreage is used by lot 1.

The area that will be added to the three smaller lots is RCA, and according to the site plan submitted, new septic reserve areas are shown in the RCA portion. Based on our conversation this morning, we understand the Health Department requires these systems to be shown on plats even if they are not proposed for use; however, the Environmental Report submitted by the applicant does not indicate whether these three lots will need to use these new septic areas now or in the future. Septic reserve areas are a development activity, and therefore not permitted in the RCA. The plat should state that no development activities are permitted in the RCA portions of lots 2, 3 and 4.

Thank you for the opportunity to comment. Please telephone me at (410) 260-3478 if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Lisa a. Hoerger".

Lisa a. Hoerger
Natural Resources Planner

cc: AA 173-06

OFFICE OF PLANNING AND ZONING

September 25, 2006

Chesapeake Bay Critical Area Commission
1804 West Street, Suite 100
Annapolis, MD 21401

Attention: Ren Serey

Dear Mr. Serey:

Re: Crystal Spring Farms and Costen Subdivision
Sub. #2006-010, Proj. #2006-0045

This letter is in response to your August 23, 2006 letter signed by Lisa Hoerger which recommend denial of the above referenced subdivision.

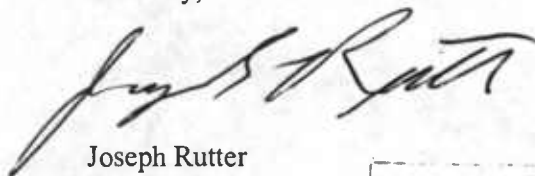
On September 19, 2006, the Office of Planning and Zoning sent a letter to the applicant stating that we would deny the application based solely on your agency's comments. Upon further research on this issue, we believe that the proposed plat is in compliance with the County's Critical Area Law, COMAR, and is in keeping with prior feedback from your office on other applications.

Your letter recommends denial due to 1) a reduction in the lot size in RCA below 20 acres and 2) proposed placement of septic reserve areas within the RCA portion of the site. With regard to number 1, the number of dwelling units will not increase within the RCA. Regarding number 2, this appears to contradict your sworn testimony at the Arrow Cove Board of Appeals case (#BA 6-04V). A copy of your full testimony is attached for your review.

Based upon this information and the lack of a clear legal prohibition to the location of septic in RCA for dwelling units in LDA, the Office of Planning and Zoning will approve the subject plat.

If you have any questions please contact this office at 410-222-7455.

Sincerely,



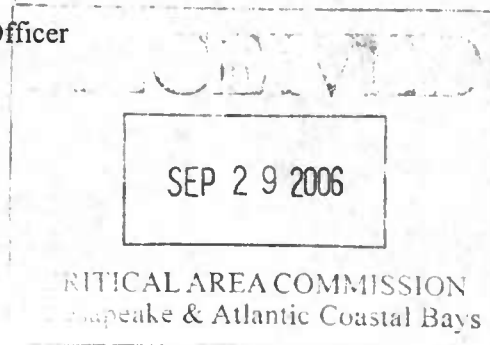
Joseph Rutter
Planning and Zoning Officer

JR/CS/jls
Attachment

cc: Subdivision File
Kelly Krinetz, OPZ

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OFFICE OF PLANNING AND ZONING

July 26, 2006

Ms. Lisa Hoerger
Critical Area Commission
1804 West Street, Suite 100
Annapolis MD 21401

Re: Crystal Springs Farm
S2006-010; P2006-0045

Dear Ms. Hoerger:

This letter is in response to your comment letter dated June 22, 2006 regarding the aforementioned project. We have carefully considered the information contained within the letter and have following concerns about the basis for your comments.

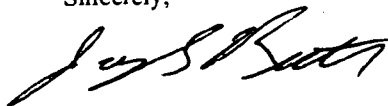
You state that by allowing the septic reserve areas to be placed within the RCA, the density of the property is somehow changed. Article 18 Section 13-206 states that "the density allowed is one dwelling unit per 20 acres." This plat does not result in any additional dwelling units within the RCA portion of the property and therefore in no way affects the RCA density.

You state that the extension of lot lines into Parcel 178 reduces the net acreage to less than 20 acres, which is the minimum necessary to support a dwelling unit. Again, this is a density issue and this plat does not result in any more than one dwelling unit per 20 acres, which is permitted. This provision is in no way intended to require, a minimum lot size of 20 acres within the RCA.

With regard to the septic being a permitted use within the RCA, I do not believe that it is an issue with this subdivision. The structures within the LDA exist and have existed for years without the benefit of the RCA portion of the site. While I would agree that if the use of the RCA property was required to create the development within the LDA then it should not be permitted, that is not the case in this situation. The expansion of the lots into the RCA portion of the site is to allow future replacement of septic systems should replacement be required. From an environmental standpoint, this is absolutely necessary. I have read the Code and do not see a provision that would prohibit this expansion.

It is my opinion that the density requirements as established for RCA are in no way being compromised by the proposed project nor is the use contradictory to the intent of the Critical Area regulations. While we appreciate your concerns, we feel that this project complies with the regulations and therefore intend to approve it for signature and recordation. If you would like to discuss this further, please feel free to contact us.

Sincerely,



Joseph Rutter
Planning and Zoning Officer

cc: S. Stillman
Subdivision File
Bay Engineering

RECEIVED

JUL 31 2006

CRITICAL AREA COMMISSION

1 MR. CHANCE: Nothing, Mr. Chairman.

2 CHAIRMAN LAMARTINA: Thank you, Ms. Schatt.
3 You may be excused.

4 (Witness excused.)

5 CHAIRMAN LAMARTINA: Does the County have
6 another witness?

7 MR. CHANCE: The County had intended to call
8 Ren Serey from the Critical Area Commission, but the
9 Commission routinely testifies on its own at these
10 hearings, and I think the County would allow to happen
11 this time. We would rest our case.

12 CHAIRMAN LAMARTINA: Mr. Serey, do you wish
13 to testify at this time.

14 MR. SEREY: If this is an appropriate time
15 for the Board. I can wait. It doesn't matter.

16 CHAIRMAN LAMARTINA: Well, you -- are you
17 testifying with your intervention rates? Or are you
18 intervening as a party at this time? Or are you, the
19 Commission has that ability to them. Other than that
20 you can testify as a member of the audience.

21 MR. SEREY: I would prefer to testify for the
22 Commission in a formal manner.

23 CHAIRMAN LAMARTINA: Okay. Then let's do it
24 now.
25 Whereupon,

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CRITICAL AREA COMMISSION
Chesapeake & Atlantic Coastal Bays

1 REN SEREY,
2 a witness, called for examination for the Commission,
3 was duly sworn, and was examined and testified as
4 follows:

5 THE CLERK: Have you signed in previously?

6 THE WITNESS: I have signed this.

7 THE CLERK: Okay. That's fine. Thank you.

8 CHAIRMAN LAMARTINA: Can you give us your
9 name and address for the record, please.

10 THE WITNESS: My name is Ren Serey. I'm with
11 the Critical Area Commission. The Commission address
12 is 1804 West Street, Suite 100, Annapolis.

13 CHAIRMAN LAMARTINA: Okay. You can proceed.

14 THE WITNESS: Thank you. We have looked at
15 this project from many angles for several years, as has
16 the County, the citizens and the developers certainly.
17 And my comments tonight are really those that I feel
18 are important to get on the record for whatever use the
19 Board feels may be appropriate.

20 My understanding regarding the variance for
21 density purposes, is that it is required under the
22 County's interpretation of the County Code, in order to
23 reduce the number of lots on the site, assuming those
24 lots are properly grandfathered, and to have those
25 lots, or some lots, be developed or able for

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1 development with fewer impacts to the critical area;
2 buffer impacts, steep slope impacts, water quality,
3 habitat.

4 The critical area criteria require local
5 governments to have procedures in place to minimize
6 impacts when grandfathered lots owned by one individual
7 or one corporation are proposed for development. And
8 generally the criteria require that impacts be
9 minimized by reconfiguring or combining lots. And all
10 counties are required in their critical area programs
11 to have procedures in place in order to do this.

12 When the Anne Arundel County's program was
13 presented for approval to the Commission in 1988, part
14 of that package was the set of standards, I don't know
15 whether antiquated lot laws is the proper term or not,
16 but there were standards that the County had always
17 used before the critical area program, before the
18 critical area law, to essentially reduce impacts from
19 substandard lots.

20 And the Commission accepted those processes.
21 And over the years we have reviewed the County's use of
22 those processes and procedures and believe that over
23 the years they have been satisfactory and properly
24 applied.

25 There is no presumption in the critical area

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1 criteria, and I believe no presumption in the County
2 Code, for using a process for a variance to achieve
3 that minimization of impact. And the Commission's
4 position is using a variance with all that it brings
5 with it, unwarranted hardship and all of the other
6 standards, is not the proper procedure for looking at
7 this type of situation.

8 The proper procedure would be those standards
9 and those processes that the County has always used to
10 reduce impacts. And we believe on this particular
11 site, the seven lots that have been proposed, moving
12 those lots from where the County determined they could
13 have been developed, and I believe the number was 12,
14 to different places on the site and different
15 configurations has minimized the impacts.

16 And we support the development of those lots,
17 I believe it's seven. But, without going through the
18 variance standards, because we believe it's not proper
19 to do so. It mixes two different standards with two
20 different purposes together. And we believe the
21 combination of lots, and even the movement of lots from
22 one place on the site to another place, even if it
23 involves subdivision or re-subdivision or whatever the
24 term is, is the appropriate way to do it rather than
25 the variance process. Thank you.

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1 was?

2 Q The third was the platting of the second
3 backup system for not the actual disturbance, but just
4 the platting of that portion of the system that would
5 accommodate the third septic system or the second
6 backup.

7 A For these lots, as proposed, we would not
8 oppose, the Commission would not oppose the location of
9 the septic system.

10 Q All right. Now, and you're saying for these
11 lots as opposed --

12 A As pro --

13 Q -- as proposed, is it correct that the
14 Commission defers to the County as to what are legal
15 lots and what could be legal lots as a result thereof?

16 A Yes. We defer, in this instance, as we had
17 been all instances in the past, to the County's
18 research procedures and determinations for moving lots
19 from place to another, resubdividing, combining,
20 whatever the terms may be.

21 Q So it is axiomatic then that your testimony
22 is predicated upon the fact that the County has found,
23 or yet will find, that the applicant has legal lots
24 which can be reconfigured pursuant to the resubdivision
25 regulations?

1 A That is correct. If the County makes that
2 determination, then we do not oppose the location of
3 these lots as they are proposed.

4 Q So you have examined the variances for the
5 road, the storm water outfall, and the platting of the
6 septic system in the, predicated upon the supposition
7 that the County either has, or yet will, approve the
8 lots as they have been shown on one or more Exhibits in
9 this case?

10 A That is correct.

11 Q Now with regard to the density variance,
12 would it be fair to restate the position of the
13 Commission as you have testified, that the Commission
14 believes a variance is not necessary because of past
15 practice of the County for the density?

16 A That would be part of the Commission's
17 position, that it is not necessary. The other part is
18 that it is not appropriate to use that process.

19 Q And do you say that -- isn't it correct that
20 if a resubdivision is permissible, a very technical
21 reading of the critical area regulations would require,
22 or could require, a variance to the 20 acre minimum lot
23 size?

24 A I'm not sure that I understand your question.

25 Q All right. A resubdivision, as I understand

1 it, must comply with all the critical area
2 requirements. That's a blanket statement in our
3 program, I believe.

4 A That's correct.

5 Q And one of those requirements is that all
6 lots have to meet the underlying acreage requirements
7 of the critical area.

8 A That's correct.

9 Q And since this property is in the RCA, one of
10 the requirements would be that every lot, as
11 resubdivided, would have to contain 20 acres, at least
12 arguably.

13 A That would not be our position, because of
14 the circumstances for this property.

15 Q All right. So that leads up to my question.
16 Isn't it correct that the critical area regulations, as
17 adopted by Anne Arundel County in that regard, simply
18 never contemplated somebody asking for a resubdivision
19 and variances to do less lots and less impacts rather
20 than more?

21 A That has always been the Commission's
22 understanding of the County Ordinance.

23 Q And I think you were here during the early
24 hearings when we introduced various exhibits, which
25 were the Petitioner's Exhibits 19, 20, and 21, titled

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1 objection to the process that the County is using for
2 the other variances. The density variance is of
3 significant concern.

4 Q Could you explain what your concern is about
5 that density variance?

6 A The critical area law and the critical area
7 criteria very heavily relied on the concept of
8 grandfathering. And assured that every lot or parcel
9 that existed as of December 1, 1985 for the date of the
10 local program approval, could be developed with a
11 single family dwelling. But that's not the end of the
12 criteria provisions.

13 Further provisions require that consideration
14 by the County be given to lots that are not
15 individually owned. If recombination or
16 reconfiguration of those lots would result, or could
17 result, in fewer critical area impacts. And the
18 criteria required local jurisdictions to submit
19 processes and procedures for assuring that. And those
20 procedures, then, would be approved by the Commission
21 as part of the local critical area program.

22 So those processes, whether they involve
23 subdivision or resubdivision or other termed processes,
24 were anticipated by the General Assembly when it
25 approved the critical area criteria. And there, to my

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1 knowledge and in our records, is no information that
2 one of those processes would be the use of a variance
3 to do that. Because a variance brings with it a very
4 high standard and, frankly, a different standard than
5 you would use to minimize impacts from grandfathered
6 lots.

7 Q You just said every lot or every parcel that
8 was in existence before critical area you wanted to
9 somehow acknowledge that. I mean, every piece of
10 property is owned probably by somebody; correct? So
11 that before critical area, the properties were owned.

12 A That's correct. But --

13 Q So what was the -- what impact was critical
14 area law on (inaudible) you have?

15 A Every lot or parcel that was individually
16 owned was guaranteed one dwelling unit, assuming that
17 other local processes, health department concerns,
18 would not be in conflict. Those lots that were
19 multiple lots owned by one individual or one
20 corporation were set aside for a different type of
21 review. And the strong presumption was that the County
22 would look at those lots and try to achieve development
23 on that parcel that would reduce impacts as compared to
24 developing every single one of the lots.

25 Q But isn't it true that if the County can

1 strictly apply critical area law, could apply critical
2 area law in this case, aside from other issues, that
3 would be the minimal impact. That would be a minimal
4 impact; correct?

5 A Bringing multiple lots down to, for example,
6 one?

7 Q Yes.

8 A That would be a minimal impact. It was not
9 the anticipated result by the Commission.

10 MS. FLIGSTEN: That's all.

11 CHAIRMAN LAMARTINA: Mr. Chance.

12 MR. CHANCE: Thank you, Mr. Chairman.

13 EXAMINATION BY COUNSEL FOR THE COUNTY

14 BY MR. CHANCE:

15 Q First off, thanks, Mr. Serey, for coming down
16 and representing the Commission on this. I will show
17 you Article 28, Section 1A, 103B. And I'm going to ask
18 you to read that. And then I have a question for you.
19 Would you read it aloud please?

20 A "Development in the critical area, including
21 the subdivision or resubdivision of land, special
22 exceptions, rezonings, or variances, shall be permitted
23 only in accordance with the requirements for the
24 specific land use category in which the property is
25 located."

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1 Q "The land use category" referenced in this
2 instance is RCA; isn't it?

3 A Yes, it is.

4 Q That section standing alone requires a
5 variance for resubdivision in the RCA; does it not?

6 A That is not our interpretation.

7 Q Well show me the language in that section
8 standing alone that allows you to resubdivide without
9 getting a variance.

10 A You mean by standing alone without reference
11 to critical area law or criteria?

12 Q This is the County's critical area program.
13 I'm asking you a question. And the question is can you
14 direct me to the language in this section of the
15 County's critical area program that alleviates the need
16 for a variance when you want to subdivide in the RCA?

17 A No. I can only direct you only to past
18 practices.

19 Q Okay. And when you talk about past practice,
20 what do you mean?

21 A I mean the County's consideration of
22 resubdivisions or combinations or reconfigurations on
23 parcels of grandfathered lots in order to achieve fewer
24 critical area impacts.

25 Q So the view that you are presenting here is

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1 that if the end result is fewer lots, then
2 resubdivision in the RCA does not require a variance.

3 A If the resubdivision is fewer lots and those
4 lots represent fewer critical area impacts that would
5 have been achieved otherwise, then no variance would be
6 necessary, or in our opinion is appropriate.

7 Q Okay. Thank you.

8 CHAIRMAN LAMARTINA: Is that your questions?

9 MR. CHANCE: No, I have one more.

10 BY MR. CHANCE:

11 Q You indicated that when multiple lot --
12 under, I think Ms. Fligsten was eluding to the subject
13 of grandfathering, and you indicated that when multiple
14 lots in common ownership were to be developed, the
15 critical area law treated them differently from
16 individual lots that weren't contiguous to other lots
17 owned by the same person. Is that right?

18 A That's correct.

19 Q And can you explain what you mean by that?
20 How did you envision they would be treated differently?

21 A When you have undeveloped grandfathered lots
22 in the critical area, and those lots are owned by
23 different individuals, the Critical Area Commission and
24 the General Assembly assumed that each of those lots
25 would be someday developed with a single family home

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1 and provided for that. Because there was no other way
2 to reduce impacts, even if the lots were in the RCA.

3 Q Okay. And before you go on, why do you
4 believe, what is your understanding for the Critical
5 Area Commission's rationale for assuming that a
6 individual lot in individual ownership can be
7 developed?

8 A The Commission believed, and I think the
9 General Assembly believed, that any other result would
10 have had constitutional implications.

11 Q You mean be a taking.

12 A Correct.

13 Q Okay. Now go on and tell me what the
14 Commission envisioned would happen if multiple lots
15 under multiple contiguous lots under common ownership
16 were to be developed following the enactment of the
17 critical area program.

18 A I think the Commission understood that in
19 those situations you have an opportunity to better
20 achieve the goals of the program and reduce the impact.
21 That's not necessarily saying that every situation
22 where one person or one corporation owns multiple lots
23 would automatically be able to have fewer impacts if
24 developed. But the strong assumption was that
25 procedures needed to be in place to try. And the

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27.01.02.05

.05 Resource Conservation Areas.

A. Resource conservation areas are those areas characterized by nature-dominated environments (that is, wetlands, forests, abandoned fields) and resource-utilization activities (that is, agriculture, forestry, fisheries activities, or aquaculture). These areas shall have at least one of the following features:

- (1) Density is less than one dwelling unit per 5 acres; or
- (2) Dominant land use is in agriculture, wetland, forest, barren land, surface water, or open space.

B. In developing their Critical Area programs, local jurisdictions shall follow these policies when addressing resource conservation areas:

- (1) Conserve, protect, and enhance the overall ecological values of the Critical Area, its biological productivity, and its diversity;
- (2) Provide adequate breeding, feeding, and wintering habitats for those wildlife populations that require the Chesapeake Bay, its tributaries, or coastal habitats in order to sustain populations of those species;
- (3) Conserve the land and water resource base that is necessary to maintain and support land uses such as agriculture, forestry, fisheries activities, and aquaculture; and
- (4) Conserve the existing developed woodlands and forests for the water quality benefits that they provide.

C. In developing their Critical Area programs, local jurisdictions shall use all of the following criteria for resource conservation areas:

- (1) Land use management practices shall be consistent with the policies and criteria for habitat protection areas in COMAR 27.01.09, the policies and criteria for agriculture in COMAR 27.01.06, and the policies and criteria on forestry in COMAR 27.01.05.
- (2) Agricultural and conservation easements shall be promoted in resource conservation areas.
- (3) Local jurisdictions are encouraged to develop tax or other incentive/disincentive programs to promote the continuation of agriculture, forestry, and natural habitats in resource conservation areas.
- (4) Land within the resource conservation area may be developed for residential uses at a density not to exceed one dwelling unit per 20 acres. Within this limit of overall density, minimum lot sizes may be determined by the local jurisdiction. Local jurisdictions are encouraged to consider such mechanisms as cluster development, transfer of development rights, maximum lot size provisions, and/or additional means to maintain the land area necessary to support the protective uses.
- (5) Existing industrial and commercial facilities, including those that directly support agriculture, forestry, aquaculture, or residential development not exceeding the density specified in §C(4), above, shall be allowed in resource conservation areas. Additional land may not be zoned for industrial or commercial development, except as provided in Regulation .06, below.
- (6) Local jurisdictions shall develop a program to assure that the overall acreage of forest and woodland within their resource conservation areas does not decrease.
- (7) Development activity within the resource conservation area shall be consistent with the criteria for limited development areas in Regulation .04.

- (8) Nothing in this regulation shall limit the ability of a participant in the Agricultural Easement Program to convey real

property impressed with such an easement to family members provided that no such conveyance will result in a density greater than 1 dwelling unit per 20 acres.



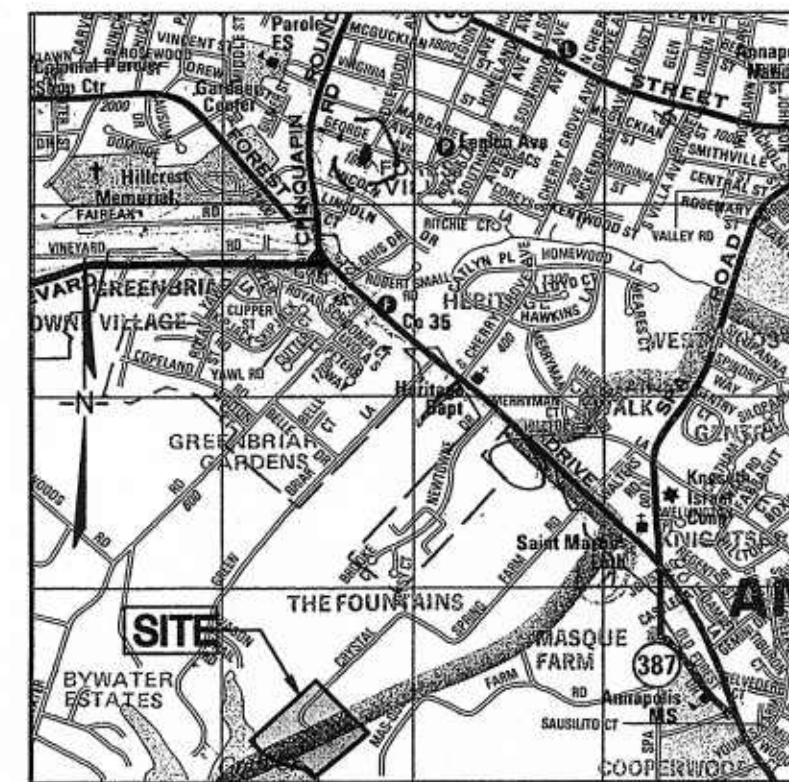
LOCATION AND DRAINAGE
AREA MAP
1"=200'

Outfall Statement

This is to certify that a field investigation has been made at the outfall point for this project. The engineer has visited the site and has found that the site, which drains into Crab Cove, a tidal outfall, is presently in a stable state. This proposed development should cause no adverse effect on this outfall.

Stormwater Management Note

Private on-site stormwater management systems and/or alternate best Management Practices have been provided for Lots 1-4, in accordance with Article 21, Title 3 of the Anne Arundel County Code and based on plans on file with the Office of Planning and Zoning. The developer/permit applicant shall be responsible for the execution of a private maintenance agreement prior to the approval of any grading or building permits. A grading permit may be required for lots with private individual systems as determined by the Office of Planning and Zoning Application Center. Any future development may require Stormwater Management in accordance with the State of Maryland's "2000 Maryland Stormwater Design Manual" and Anne Arundel County's "Stormwater Management Practices and Procedures Manual".



VICINITY MAP
SCALE 1"=2000'

GENERAL NOTES

- Property Owner:
Parcel 178 (Lot 1) -
W. Jackson III
Sarah M. III
401 Crystal Spring Farm Road
Annapolis, MD 21403
Parcel 208 Lot 2 & 3 -
Karl M. Roscher
404 Crystal Spring Farm Road (Lot 2)
413 Crystal Spring Farm Road (Lot 3)
Annapolis, MD 21403
Parcel 208 Lot 4 -
William Hannigan, Jr.
Helen H. Hannigan
415 Crystal Spring Farm Road
Annapolis, MD 21403
- Site Address:
Site address same as owner addresses.
- The property is located on Tax Map 51, Grid 21, Parcel 178, 208
- Tax Account Number:
Parcel 178, Lot 1 - 2-000-40021544
Parcel 208 Lot 2 (4, 3) - 2-000-10021800
Parcel 208 Lot 3 (6, p/o 1) - 2-000-10021400
Parcel 208 Lot 4 (p/o 1, 2, p/o 4) - 2-000-05066100
- Site is located in the LDA & RCA designation of the Chesapeake Bay Critical Area.
- Area of Site: 22.906 ac.
- Site is Located in Flood Zone C, and A6, Elev. 7', per Map 24008-0038C, Dated May 2, 1983.
- Bearings and Distances shown per deeds and plats of record.
- Topography based on aerial topography.
- Any pertinent Improvements within 100' of the property are shown.
- All lots will or are being serviced by private water and individual septic systems.
- Site is located on AACo Topographic Sheets R-21, R-22, S-21 & S-22.

Area Tabulations

LOT 1	865,314 S.F.	19,864 AC.
LOT 2	46,776 S.F.	1,074 AC.
LOT 3	37,888 S.F.	0,870 AC.
LOT 4	47,816 S.F.	1,098 AC.
TOTAL	977,794 S.F.	22,906 AC.

Critical Area Area Tabulations

LOT 1	865,314 S.F.	19,864 AC.	LDA	35,228 S.F.	0,804 AC.
LOT 2	46,776 S.F.	1,074 AC.	RCA	18,020 S.F.	0,412 AC.
LOT 3	37,888 S.F.	0,870 AC.	OUTSIDE C.A.	12,001 S.F.	0,275 AC.
LOT 4	47,816 S.F.	1,098 AC.	LDA	16,544 S.F.	0,380 AC.
LOT 5	21,344 S.F.	0,490 AC.	RCA	21,344 S.F.	0,490 AC.
LOT 6	47,816 S.F.	1,098 AC.	LDA	24,546 S.F.	0,561 AC.
LOT 7	105,147 S.F.	2,416 AC.	RCA	18,270 S.F.	0,416 AC.
TOTAL	977,794 S.F.	22,906 AC.	OUTSIDE C.A.	12,001 S.F.	0,275 AC.

IMPERVIOUS AREA TABULATIONS

LOT	EXISTING IMPERVIOUS TOTAL (S.F.)	EXISTING IMPERVIOUS IN LDA (S.F.)	EXISTING IMPERVIOUS IN RCA (S.F.)	MAX. IMPERVIOUS ALLOWABLE (S.F.)
LOT 1	13,886	236	14,150	16,550 (13.47%)
LOT 2	3,404	2,743	1,161	11,644 (25%)
LOT 3	4,445	3,225	420	4,412 (25%)
LOT 4	6,058	4,864	1,194	11,954 (25%)
TOTAL	33,443	11,068	22,425	149,670 (15%)
TOTAL LDA/RCA IMPERVIOUS ALLOWED (15%)				149,670

Existing Woodland

LOT	TOTAL (S.F.)	TOTAL ACRES
LOT 1	500,592	11.492
LOT 2	20,677	0.475
LOT 3	18,151	0.417
LOT 4	21,756	0.499
TOTAL	561,176	12.883

Sub #2006-010, Proj. # 2006-0045

COVER SHEET

CRYSTAL SPRING FARM
MINOR SUBDIVISION
LOTS 1-9

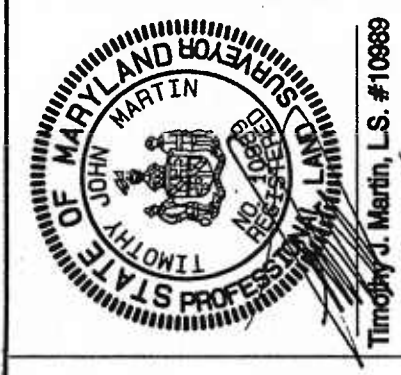
TAX MAP 51- BLOCK 21 - PARCELS 178, 208
TAX ACT #2-000-0022889 (LOT 1) 2-000-0022890 (LOTS 4-5)
TAX ACT #2-000-10021800 (LOTS 6-7) 2-000-05066100 (LOTS 1-3)
ANNA POLIS, MD 21403

Second Tax District, Anne Arundel County, MD.

Sheet No. 1 of 2

File No.

Bay Engineering Inc.
Engineers, Planners and Surveyors
180 Admiral Cochrane Drive, Suite 175
Annapolis, Maryland 21401
410.887.8280
email: info@bayengineering.com



Revisions

Rev. #	By	Date	Description
1			
2			
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4			
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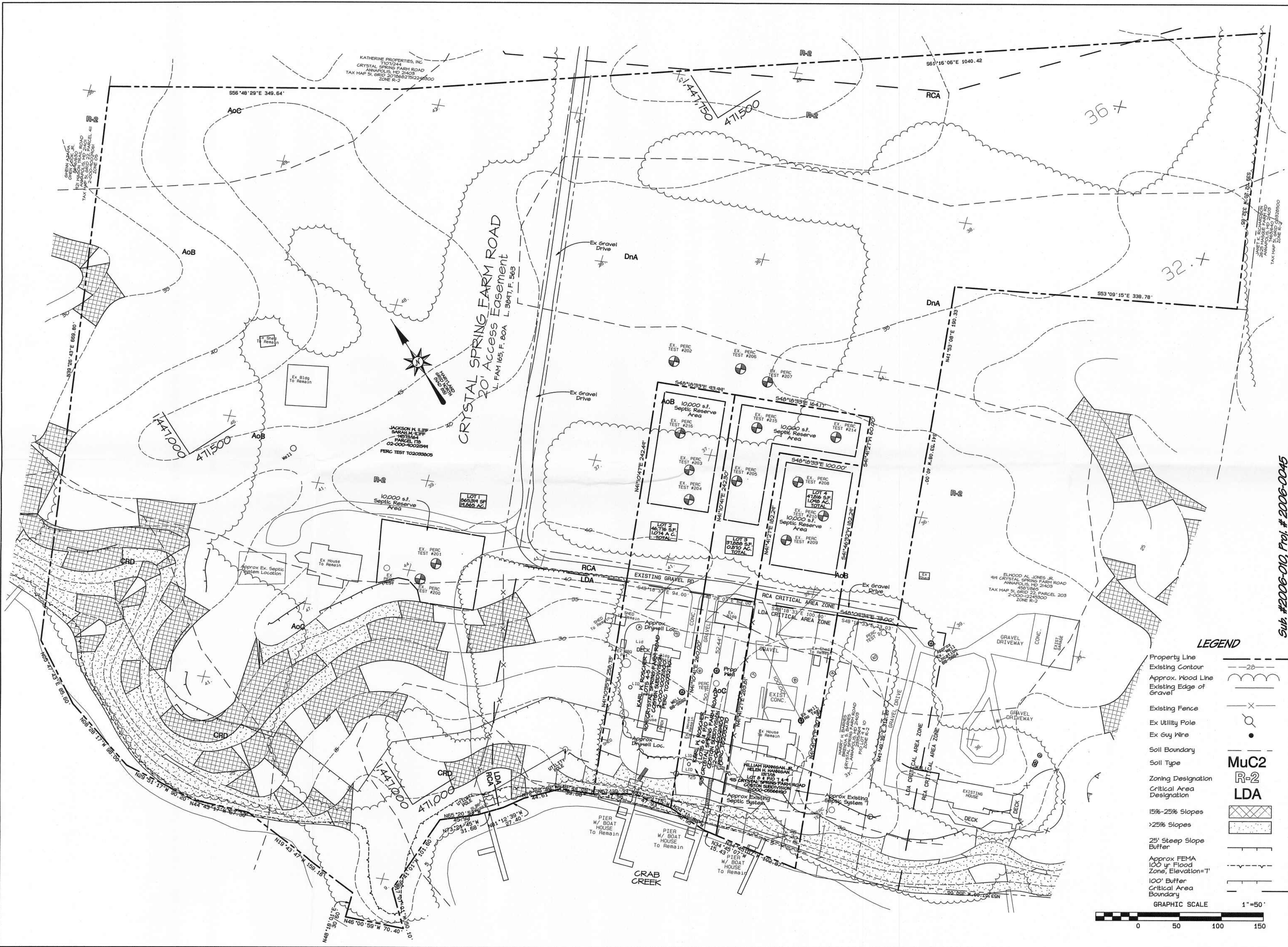
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SITE PLAN

CRYSTAL SPRING FARM
MINOR SUBDIVISION
LOTS 1-9

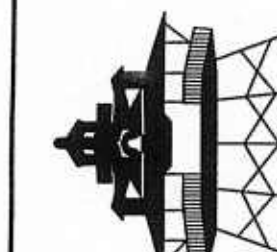
TAX MAP 51- BLOCK 21 - PARCELS 178, 208
TAX MAP 51-000-000000 (LOT 1) 2-000-000000 (LOTS 1-9)
TAX MAP 51-000-000000 (LOTS 6-7) 2-000-000000 (LOTS 7-9)
ANNAPOLIS, MD 21403

Second Tax District, Anne Arundel County, MD.

Sheet No. 2 of 2
File No.

Date Tue, Jul 25, 2006
Job Number 09-753
Scale 1"=50'
Drawn By D. MILLER
Designed By
Approved By
Folder Reference: Mill, Sally

Bay Engineering Inc.
Engineers, Planners and Surveyors
180 Admiral Cochrane Drive, Suite 175
Annapolis, Maryland 21401
410.887.5550
email: info@bayengineering.com



Rev. #	By	Date	Description
1			CRITICAL AREA COMMISSION Classspace & Atlantic Coast Hwy

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